

## Wayne County Commissioners' Agenda

- Pledge of Allegiance to the Flag
- Call to Order Regular Session of June 24, 2020
- Announcement of Commissioners in Attendance
- Approval of Agenda
- Approval of minutes from June 17, 2020 through June 23, 2020

Date	Res. #	Resolution Title
6/24	2020-303	<b>Approval of County Bills</b>
6/24	2020-304	<b>Approval of County Home Bills</b>
6/24	2020-305	<b>Appropriation Transfer Approval</b>
6/24	2020-306	<b>Appropriation of Funds Authorization</b>
6/24	2020-307	<b>Personnel Change Approval</b>
6/24	2020-308	<b>Travel/Training Expense Approval</b>
6/24	2020-309	<b>Organizational Membership Approval</b>
6/24	2020-310	<b>A RESOLUTION DECLARING IT NECESSARY TO REPLACE AN EXISTING TAX LEVY, REQUEST AN INCREASE, AND REQUEST THE WAYNE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF WAYNE COUNTY, OHIO AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THAT REPLACEMENT LEVY AND INCREASE. (MEDWAY)</b>
6/24	2020-311	<b>A RESOLUTION DECLARING IT NECESSARY TO PROCEED WITH THE QUESTION OF THE REPLACEMENT OF AN EXISTING TAX LEVY AND INCREASE FOR THE PURPOSE OF PROVIDING FOR THE SERVICES PROVIDED BY MEDWAY, PURSUANT TO R.C. 5705.192 OF THE OHIO REVISED CODE. (MEDWAY)</b>
6/24	2020-312	<b>RESOLUTION DECLARING IT NECESSARY TO LEVY A RENEWAL TAX IN EXCESS OF THE TEN-MILL LIMITATION (DD)</b>
6/24	2020-313	<b>RESOLUTION DECLARING INTENT TO PROCEED WITH ELECTION ON THE QUESTION OF A RENEWAL TAX IN EXCESS OF THE TEN-MILL LIMITATION (DD)</b>
6/24	2020-314	<b>Bid Advertisement Authorization for Burton City Road Resurfacing (BAU-CR242-0.00-2.65) (OPWC No. DPX03)</b>
6/24	2020-315	<b>Approval of Agreement with AON Consulting, Inc.</b>
6/24	2020-316	<b>Bridge Load Limit Update Authorization (O.R.C. 5591.42)</b>
6/24	2020-317	<b>Approval of Public Defender Fees &amp; Rates</b>
6/24	2020-318	<b>Approval of Lease with the Wayne County Auditor for Operation of a Deputy Registrar Agency (301.22)</b>
6/24	2020-319	<b>Authority to Apply and Accept Grant Award Agreement from the Ohio Office of Criminal Justice Services (OCJS) for Narcotics Task Force Funding on Behalf of Medway Drug Enforcement Agency (2019-DL-LEF-5830)</b>

# Resolution

No. 2020-303

*Board of Wayne County Commissioners*  
*Ron Amstutz    Rebecca S. Foster    Sue A. Smail*

*Adopted:* June 24, 2020

*Subject:* **Approval of County Bills**

It was moved by Commissioner Smail and seconded by Commissioner Amstutz that the following resolution be adopted:


Computer run dated **June 23, 2020** for County Bills in the amount of **\$341,742.11**, Interagency Transaction/Payment **batch #6653 & 6654** in the amount of **\$41,236.93**, and any Then & Now Certificates are hereby approved for payment.

As taxing authority, the Then & Now Certificates submitted as of this date for the Board of Elections, Children Services, Department of Developmental Disabilities, Soil and Water and Veterans Services are approved for processing by the Auditor.

The vote is as follows: Ron Amstutz yea    Rebecca S. Foster yea    Sue A. Smail yea

## CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

  
Diane L. Austen, Clerk

# Resolution

No. 2020-304

## Board of Wayne County Commissioners

Ron Amstutz    Rebecca S. Foster    Sue A. Smail

*Adopted:* June 24, 2020

*Subject:* **Approval of County Home Bills**

It was moved by Commissioner Amstutz and seconded by Commissioner Smail that the following resolution be adopted:

Computer run dated **June 23, 2020** for County Home Bills in the amount of **\$9,167.79**, and any Then & Now Certificates are hereby approved for payment.

The vote is as follows: Ron Amstutz yea    Rebecca S. Foster yea    Sue A. Smail yea

### CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

  
Diane L. Austen, Clerk

# Resolution

No. 2020-305

## Board of Wayne County Commissioners

Ron Amstutz    Rebecca S. Foster    Sue A. Smail

*Adopted:* June 24, 2020

*Subject:* **Appropriation Transfer Approval**

It was moved by Commissioner Smail and seconded by Commissioner Amstutz that the following resolution be adopted:

The following appropriation amounts are to be transferred by the Wayne County Auditor.

### Appropriation Transfers:

Medway	To cover necessary expenses			
\$14,500.00	From	Salaries	S004S50	034.6400.03.5001.000.000
	To	Rentals	S004S58	034.6400.03.5450.000.000
Medway	To cover necessary expenses			
\$2,900.00	From	Supplies (DLEF)	T077T03	113.6400.03.5100.000.000
	To	Rent (DLEF)	T077T05	113.6400.03.5450.000.000

The vote is as follows: Ron Amstutz yea    Rebecca S. Foster yea    Sue A. Smail yea

### CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

  
Diane L. Austen, Clerk

# Resolution

No. 2020-306

Board of Wayne County Commissioners  
Ron Amstutz    Rebecca S. Foster    Sue A. Smail

Adopted: June 24, 2020

Subject: **Appropriation of Funds Authorization**

It was moved by Commissioner Smail and seconded by Commissioner Amstutz that the following resolution be adopted:

### Appropriation of Funds:

Department	Amount	Description	To the Appropriation	
Commissioners	\$1,520,191.20	CARES ACT (HB481) COVID-19 EXPENSES	T228T01	228.0000.11.5919.000.000
To authorize the establishment of a new fund to account for federal funds under Section 5001 of the Coronavirus Aid, Relief, and Economic Security (CARES) Act (HB481) for the period of 3/1/2020-12/30/2020				

The vote is as follows: Ron Amstutz yea    Rebecca S. Foster yea    Sue A. Smail yea

### CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

  
Diane L. Austen, Clerk

# Resolution

No. 2020-307

## Board of Wayne County Commissioners

Ron Amstutz    Rebecca S. Foster    Sue A. Smail

*Adopted:* June 24, 2020

*Subject:* **Personnel Change Approval**

It was moved by Commissioner Amstutz and seconded by Commissioner Smail that the following resolution be adopted:

Department	Name	Title	Effective Date	Status Change
Care Center	Lisa Chittendan	Social Services Dir.	7/20/2020	New hire
Care Center	Karen Karcher	LPN	7/2/2020	Resigned
Commissioners	James Rockhold	Admin. Accountant	6/29/2020	New hire
Job & Family	Rita Flanagan	Investigator 2	7/31/2020	Retirement

The vote is as follows: Ron Amstutz yea    Rebecca S. Foster yea    Sue A. Smail yea

### CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

  
Diane L. Austen, Clerk

# Resolution

No. 2020-308

## Board of Wayne County Commissioners

Ron Amstutz    Rebecca S. Foster    Sue A. Smail

*Adopted:* June 24, 2020

*Subject:* **Travel/Training Expense Approval**

It was moved by Commissioner Smail and seconded by Commissioner Amstutz that the following resolution be adopted:

Dept./Person	Where	Date	Travel	Travel (taxable)	Seminar, Conf., Mtg., etc.
<b>Juv. Probation</b>					
Nicole Zornes	On-line	9/23-25/2020	185.00	0	17 <sup>th</sup> Annual International Human Trafficking & Social Justice Conf.

The vote is as follows: Ron Amstutz yea    Rebecca S. Foster yea    Sue A. Smail yea

### CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

  
Diane L. Austen, Clerk

# Resolution

No. 2020-309

## Board of Wayne County Commissioners

Ron Amstutz    Rebecca S. Foster    Sue A. Smail

*Adopted:* June 24, 2020

*Subject:* **Organizational Membership Approval**

It was moved by Commissioner Amstutz and seconded by Commissioner Smail that the following resolution be adopted:

Department	Organization	Person / Entity	Total
Job & Family	National PELRA	Amy Welty	215.00

The vote is as follows: Ron Amstutz yea    Rebecca S. Foster yea    Sue A. Smail yea

### CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

  
Diane L. Austen, Clerk



# Resolution

No. 2020-310

## Board of Wayne County Commissioners

Ron Amstutz    Rebecca S. Foster    Sue A. Smail

*Adopted:* June 24, 2020

*Subject:* **A RESOLUTION DECLARING IT NECESSARY TO REPLACE AN EXISTING TAX LEVY, REQUEST AN INCREASE, AND REQUEST THE WAYNE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF WAYNE COUNTY, OHIO AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THAT REPLACEMENT LEVY AND INCREASE. (MEDWAY)**

(R.C. 5705.03, 5705.192)

It was moved by Commissioner Amstutz and seconded by Commissioner Smail that the following resolution be adopted:

**WHEREAS**, the amount of taxes which may be raised within the ten-mill limitation will be insufficient to provide an adequate amount for the necessary requirements of the Medway Drug Enforcement Agency, Wayne County, Ohio (Medway), an agency subject to the jurisdiction of Wayne County, Ohio; and

**WHEREAS**, this Board of County Commissioners of Wayne County, Ohio ("Board") is currently levying a 0.25 mill levy for a continuing period of time for the purpose of providing for anti-drug enforcement services by Medway, which existing levy is outside the ten-mill limitation and which was first approved by the electors of Wayne County, Ohio in May of 1984, first appearing on the tax list and duplicate in 1984 for collection beginning in 1985, and which levy was replaced by the voters of Wayne County, Ohio on November 8, 2011, at the same rate, first appearing on the tax list and duplicate in 2011 for collection beginning in 2012; and

**WHEREAS**, Medway has requested this Board to seek voter approval to replace the existing 0.25 mills and seek an increase of 0.35 mills, for a combined total of 0.60 mills, for a continuing period of time for the purpose of providing anti-drug enforcement services by Medway; and

**WHEREAS**, a resolution declaring the necessity of levying a tax upon Wayne County, Ohio in its entirety under R.C. 5705.192 outside the ten-mill limitation must be passed and certified to the County Auditor of Wayne County, Ohio (the "Wayne County Auditor") in order to permit this Board to levy such a tax and must request that the Wayne County Auditor certify to this Board the total current tax valuation of Wayne County, Ohio and the amount of revenue that would be generated by the tax.

**NOW, THEREFORE, BE IT RESOLVED** by this Board of County Commissioners of Wayne County, Ohio, two-thirds of all members elected thereto concurring, as follows:

Section 1. It is necessary to levy a replacement of 0.25 mills of an existing levy and an increase of 0.35 mills, to constitute a tax in excess of the ten-mill limitation for the benefit of Wayne County, Ohio for the purpose of providing anti-drug enforcement services by Medway, at a rate not exceeding 0.60 mills for each one dollar of valuation, which amounts to No Dollars and Six Cents (\$0.06) for each one hundred dollars of valuation, for a continuing period of time.

Section 2. The levy shall be placed upon the tax lists of the current year, commencing in 2020, first due in calendar year 2021, if a majority of the electors voting thereon vote in favor thereof.

Section 3. The question of such tax levy shall be submitted to the electors of the entire territory of Wayne County, Ohio at the election to be held therein on November 3, 2020.

Section 4. The Clerk of the Board of County Commissioners of Wayne County, Ohio is hereby directed to certify a copy of this Resolution to the Wayne County Auditor and the Board of Elections of Wayne County, Ohio. This Board hereby requests the Wayne County Auditor to certify to this Board the total current tax valuation of Wayne County, Ohio and the dollar amount of revenue that would be generated by the tax levy if approved by the electors of Wayne County, Ohio.

Section 5. All formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and all deliberations of this Board and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

The vote is as follows: Ron Amstutz yea Rebecca S. Foster yea Sue A. Smail yea

### CERTIFICATE

The undersigned Clerk of the Board of County Commissioners of Wayne County, Ohio, hereby certifies that the foregoing is a true copy of a resolution duly passed by the Board of County Commissioners of said County on June 24, 2020 and that a true copy thereof was certified to the County Auditor of Wayne County, Ohio.



Diane L. Austen, Clerk  
Board of County Commissioners  
Wayne County, Ohio



# Resolution

No. 2020-311

*Board of Wayne County Commissioners*  
*Ron Amstutz    Rebecca S. Foster    Sue A. Smail*

*Adopted:* June 24, 2020

*Subject:* **A RESOLUTION DECLARING IT NECESSARY TO PROCEED WITH THE QUESTION OF THE REPLACEMENT OF AN EXISTING TAX LEVY AND INCREASE FOR THE PURPOSE OF PROVIDING FOR THE SERVICES PROVIDED BY MEDWAY, PURSUANT TO R.C. 5705.192 OF THE OHIO REVISED CODE. (MEDWAY)**

**(R.C. 5705.192)**

It was moved by Commissioner Smail and seconded by Commissioner Amstutz that the following resolution be adopted:

WHEREAS, on June 24, 2020, this Board of County Commissioners of Wayne County, Ohio ("Board") passed a resolution declaring the necessity, for the purpose of providing anti-drug enforcement services by the Medway Drug Enforcement Agency, Wayne County, Ohio ("Medway"), to levy a replacement tax of 0.25 mills of an existing levy and an increase of 0.35 mills, a tax which is in excess of the ten-mill limitation under R.C. 5705.192, at a rate not exceeding 0.60 mills for each one dollar of valuation, which amounts to No Dollars and Six Cents (\$0.06) for each one hundred dollars in valuation, for a continuing period of time, commencing in 2020, first due in calendar year 2021; and

WHEREAS, the Wayne County Auditor has certified to this Board that the dollar amount of revenue that would be generated by such replacement with an increase during the first year of collection is \$1,739,500, based on the current tax valuation of Wayne County, Ohio of \$3,020,049,020;

NOW, THEREFORE, BE IT RESOLVED by this Board of County Commissioners of Wayne County, Ohio, two-thirds of all of the members elected thereto concurring, as follows:

Section 1. This Board desires to proceed with the submission of the question of the replacement of 0.25 mills of an existing levy and an increase of 0.35 mills, to constitute a tax for the benefit of Wayne County, Ohio for the purpose of providing anti-drug enforcement services by Medway, at a rate not exceeding 0.60 mills for each one dollar of valuation, which amounts to No Dollars and Six Cents (\$0.06) for each one hundred dollars of valuation, to the electors of Wayne County, Ohio.

Section 2. The above tax levy will be for a continuing period of time and will include a levy on the current year's tax list, commencing in 2020, first due in calendar year 2021, if approved by a majority of the electors voting thereon.

Section 3. The question of the above tax levy shall be submitted to the electors of the entire territory of Wayne County, Ohio at the election to be held on November 3, 2020 (the "Election Date").

Section 4. The form of the ballot to be used at the November 3, 2020 election shall be substantially as follows:

REPLACEMENT LEVY

WAYNE COUNTY, OHIO

MEDWAY DRUG ENFORCEMENT AGENCY (MEDWAY)

A Majority Affirmative Vote is Necessary For Passage

A replacement of 0.25 mills of an existing levy and an increase of 0.35 mills, to constitute a tax for the benefit of Wayne County, Ohio for the purpose of providing anti-drug enforcement services by the Medway Drug Enforcement Agency (Medway), at a rate not exceeding 0.60 mills for each one dollar of valuation, which amounts to No Dollars and Six Cents (\$0.06) for each one hundred dollars of valuation, for a continuing period of time, commencing in 2020, first due in calendar year 2021.

	FOR THE TAX LEVY
	AGAINST THE TAX LEVY


Section 5. The Clerk of the Board is hereby directed to certify, not later than August 5, 2020 (which date is not less than 90 days prior to the Election Date), to the Wayne County Board of Elections a copy of the Resolution of Necessity and a copy of this Resolution together with the dollar amount of revenue that would be generated by the replacement levy during the first year of collection, based on the current tax valuation of Wayne County, as estimated by the Wayne County Auditor, and to notify the Wayne County Board of Elections to cause notice of election on the question of levying the tax to be given as required by law.

Section 6. All formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and all deliberations of this Board and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

The vote is as follows: Ron Amstutz yea Rebecca S. Foster yea Sue A. Smail yea

CERTIFICATE

The undersigned Clerk of the Board of County Commissioners of Wayne County, Ohio, hereby certifies that the foregoing is a true copy of a resolution duly passed by the Board of County Commissioners of said County on June 24, 2020 and that a true copy thereof was certified to the **Board of Elections** of Wayne County, Ohio.

  
Diane L. Austen, Clerk  
Board of County Commissioners  
Wayne County, Ohio



# Resolution

No. 2020-312

*Board of Wayne County Commissioners*  
*Ron Amstutz    Rebecca S. Foster    Sue A. Smail*

*Adopted:* June 24, 2020

*Subject:* **RESOLUTION DECLARING IT NECESSARY TO LEVY A RENEWAL TAX IN EXCESS OF THE TEN-MILL LIMITATION (DD)**

(R.C. Sections 5705.03, 5705.222)

(R.C. Chapter 5126)

Renewal DD Levy

It was moved by Commissioner Smail and seconded by Commissioner Amstutz that the following resolution be adopted:

WHEREAS, the amount of taxes which may be raised within the ten-mill limitation will be insufficient to provide an adequate amount for the present and future requirements of the Wayne County Board of Developmental Disabilities, Ohio (the "DD Board"), a board subject to the jurisdiction of the County; and

WHEREAS, the Board is currently levying a 1.00 mill operating levy for a period of five years for the purpose of the operation of programs and services by county boards of developmental disabilities and for the acquisition, construction, renovation, financing, maintenance, and operation of mental retardation and developmental disabilities facilities (the "Existing Levy"), which Existing Levy is a levy outside the ten-mill limitation and was approved by the voters of the County on March 15, 2016, and first placed on the tax list and duplicate in 2016 for collection beginning in 2017 (Tax Collection years 2017-2021);

WHEREAS, the DD Board passed a resolution requesting the County to seek voter approval to renew all of the Existing Levy for the DD Board for the purpose of providing for the operation of community programs and services authorized by county boards of developmental disabilities, and for the acquisition, construction, financing, maintenance, and operation of developmental disabilities facilities, or for both such purposes;

WHEREAS, a resolution declaring the necessity of renewing the Existing Levy outside the ten-mill limitation must be passed and certified to the County Auditor of Wayne County in order to permit the Board to consider the renewal of such a tax and must request that the County Auditor certify to the Board the total current tax valuation of the County and the dollar amount of revenue that would be generated by the tax;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Wayne County, Ohio, two-thirds of all of the members elected thereto concurring, that:

Section 1. It is necessary to renew all of the Existing Levy in excess of the ten-mill limitation for the DD Board for the purpose of providing for the operation of community programs and services authorized by county boards of developmental disabilities, and for the acquisition, construction, financing, maintenance, and operation of developmental disabilities facilities, or for both such purposes.

Section 2. The question of renewing the Existing Levy shall be submitted to the electors of the entire territory of the County at the election to be held therein on November 3, 2020. All of the territory of the DD Board is in the County.

Section 3. Such renewal tax levy shall be at a rate not exceeding 1.00 mill for each one dollar of valuation, which amounts to \$0.10 for each one hundred dollars of valuation, for five years, upon the entire territory of the County.

Section 4. Such renewal tax levy shall be placed upon the tax list and duplicate for the 2021 tax year (commencing in 2021, first due in calendar year 2022), if a majority of the electors voting thereon vote in favor thereof.

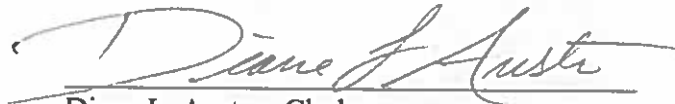
Section 5. The Clerk of this Board is hereby authorized and directed to certify a copy of this Resolution to the County Auditor of Wayne County, Ohio. This Board hereby requests that the County Auditor certify to this Board the total current tax valuation of the County and the dollar amount of revenue that would be generated by the levy if approved by the voters of the County.

Section 6. All formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and all deliberations of this Board and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

The vote is as follows: Ron Amstutz yea Rebecca S. Foster yea Sue A. Smail yea

#### CERTIFICATE

The undersigned Clerk of the Board of County Commissioners of Wayne County, Ohio, hereby certifies that the foregoing is a true copy of a resolution duly passed by the Board of County Commissioners of said County on June 24, 2020 and that a true copy thereof was certified to the County Auditor of Wayne County, Ohio.



Diane L. Austen, Clerk  
Board of County Commissioners  
Wayne County, Ohio



# Resolution

No. 2020-313

## Board of Wayne County Commissioners

Ron Amstutz    Rebecca S. Foster    Sue A. Smail

*Adopted:* June 24, 2020

*Subject:* **RESOLUTION DECLARING INTENT TO PROCEED WITH ELECTION ON THE QUESTION OF A RENEWAL TAX IN EXCESS OF THE TEN-MILL LIMITATIO (DD)**

(R.C. Section 5705.222)

(R.C. Chapter 5126)

Renewal DD Levy

It was moved by Commissioner Smail and seconded by Commissioner Amstutz that the following resolution be adopted:

WHEREAS, on June 24, 2020, the Board passed a resolution declaring the necessity, for the purpose providing for the operation of community programs and services authorized by county boards of developmental disabilities, and for the acquisition, construction, financing, maintenance, and operation of developmental disabilities facilities, or for both such purposes, to levy a renewal tax in excess of the ten-mill limitation in the amount of 1.00 mill for each one dollar of valuation, which amounts to \$0.10 for each one hundred dollars of valuation for five years; and

WHEREAS, the Wayne County Auditor has certified to the Board that the dollar amount of revenue that would be generated by such renewal tax levy during the first year of collection is \$2,862,300, based on the current tax valuation of the County of \$3,020,049,020;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Wayne County, Ohio, two-thirds of all of the members elected thereto concurring, that:

Section 1.     The Board desires to proceed with the submission of the question of the renewal tax levy to the electors of the County.

Section 2.     The question of such renewal tax levy shall be submitted to the electors in the entire territory of the County at the election to be held therein on November 3, 2020 (the "Election Date"). All of the territory of the Wayne County Board of Developmental Disabilities is in Wayne County, Ohio.

Section 3.     The form of the ballot to be used at said election shall be substantially as follows:

### **PROPOSED TAX LEVY (RENEWAL)**

WAYNE COUNTY, OHIO

WAYNE COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

A Majority Affirmative Vote Is Necessary For Passage

A renewal of a tax for the benefit of the Wayne County Board of Developmental Disabilities, Ohio for the purpose of providing for the operation of community programs and services authorized by county boards of developmental disabilities, and for the acquisition, construction, financing, maintenance, and operation of developmental disabilities facilities,

or for both such purposes, at a rate not exceeding 1.00 mill for each one dollar of valuation, which amounts to \$0.10 for each one hundred dollars of valuation, for five years, commencing in 2021, first due in calendar year 2022.

	FOR THE TAX LEVY
	AGAINST THE TAX LEVY

Section 4. The Clerk of the Board is hereby directed and shall certify, not later than August 5, 2020 (which date is not less than 90 days prior to the Election Date), to the Wayne County Board of Elections a copy of the Resolution of Necessity and a copy of this Resolution together with the dollar amount of revenue that would be generated by the renewal tax levy during the first year of collection, based on the current tax valuation of the County, as estimated by the Wayne County Auditor.

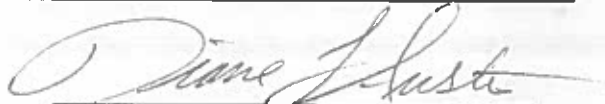
Section 5. The Clerk of the Board is hereby directed and shall simultaneously certify to the Wayne County Board of Elections, that the renewal tax levy will be for the purpose of providing for the operation of community programs and services authorized by county boards of developmental disabilities, and for the acquisition, construction, financing, maintenance, and operation of developmental disabilities facilities, or for both such purposes for five years, and that the levy will be placed upon the tax list and duplicate for the 2021 tax year (commencing in 2021, first due in calendar year 2022) if approved by a majority of the electors voting thereon.

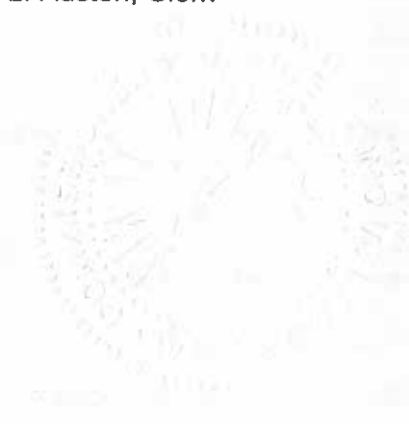
Section 6. All formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and all deliberations of this Board and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

The vote is as follows: Ron Amstutz yea    Rebecca S. Foster yea    Sue A. Smail yea

**CERTIFICATE**

The undersigned Clerk of the Board of County Commissioners of Wayne County, Ohio hereby certifies that the foregoing is a true copy of a resolution duly passed by the Board of County Commissioners of said County on June 24, 2020, and that a true copy thereof was certified to the **Board of Elections** of Wayne County, Ohio.

  
Diane L. Austen, Clerk





# Resolution

No. 2020-314

## Board of Wayne County Commissioners

Ron Amstutz    Rebecca S. Foster    Sue A. Smail

*Adopted:* June 24, 2020

*Subject:* **Bid Advertisement Authorization for Burton City Road Resurfacing (BAU-CR242-0.00-2.65) (OPWC No. DPX03)**

It was moved by Commissioner Smail and seconded by Commissioner Amstutz that the following resolution be adopted:

WHEREAS, the Wayne County Engineer has requested that said public improvement project be publically advertised and bid.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Wayne County, Ohio, that:

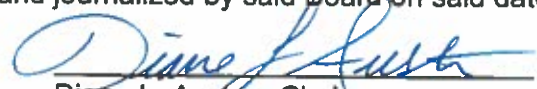
Section 1. The County Administrator, on behalf of the Board, is authorized to advertise for, receive, and open bids for the following public improvement project:

<u>Project</u>	<u>Engineer's Estimate</u>
Burton City Road Resurfacing (BAU-CR242-0.00-2.65) (OPWC No. DPX03)	\$451,445.00
Resurfacing of 2.65 miles of CR242 (Burton City Rd.) in Baughman Township	(40% OPWC & 60% local gas tax & license plate fees)

The vote is as follows: Ron Amstutz yea    Rebecca S. Foster yea    Sue A. Smail yea

### CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

  
Diane L. Austen, Clerk

# Resolution

No. 2020-315

## Board of Wayne County Commissioners

Ron Amstutz    Rebecca S. Foster    Sue A. Smail

*Adopted:* June 24, 2020

*Subject:* **Approval of Agreement with AON Consulting, Inc.**

It was moved by Commissioner Smail and seconded by Commissioner Amstutz that approval is hereby granted of the Agreement with AON Consulting, Inc. for medical and pharmacy audits of Aetna. Additionally, authorization is hereby granted to the County Administrator to execute the agreement and any necessary documents.

The vote is as follows: Ron Amstutz yea    Rebecca S. Foster yea    Sue A. Smail yea

### CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

  
Diane L. Austen, Clerk

# Resolution

No. 2020-316

## Board of Wayne County Commissioners

Ron Amstutz    Rebecca S. Foster    Sue A. Smail

*Adopted:* June 24, 2020

*Subject:* **Bridge Load Limit Update Authorization (O.R.C. 5591.42)**

It was moved by Commissioner Amstutz and seconded by Commissioner Smail that authorization is hereby granted of bridge load limits, recommended by the Wayne County Engineer, as referenced in correspondence dated June 16, 2020 for the bridge listed below.

MIL-CR70-1.13 Doylestown Road 0.10 mi. West of Seville Rd.(CR60)

The vote is as follows: Ron Amstutz yea    Rebecca S. Foster yea    Sue A. Smail yea

### CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

  
Diane L. Austen, Clerk

# Resolution

No. 2020-317

## Board of Wayne County Commissioners

Ron Amstutz    Rebecca S. Foster    Sue A. Smail

*Adopted:* June 24, 2020

*Subject:* **Approval of Public Defender Fees & Rates**

It was moved by Commissioner Smail and seconded by Commissioner Amstutz that the following resolution be adopted:

**WHEREAS**, Wayne County recognizes its responsibility under the laws of the State of Ohio and the United States of America to provide legal counsel for indigent individuals charged with loss of liberty offenses and other statutorily granted rights of counsel proceedings in the Courts of Wayne County; and,

**WHEREAS**, Wayne County has a County Public Defender's Office to provide representation in indigent defense cases, however, in instances where there is an ethical conflict, multiple defendants, or for other reasons where representation cannot or is not provided by or the County Public Defender's Office, the Commissioners wish to adopt a schedule of fees for those types of services; and,

**WHEREAS**, Pursuant to Section 120.33(A)(3) of the Ohio Revised Code, to receive reimbursement, a board of county commissioners must adopt a resolution to pay counsel appointed by the court, and must establish an up to date fee schedule which must be filed with the Office of the Ohio Public Defender, upon which reimbursement will be based; and,

**BE IT RESOVLED BY THE BOARD OF COMMISSIONERS OF WAYNE COUNTY, OHIO:** The following plan is adopted for use by the Courts of Wayne County including the Third District Court of Appeals and Supreme Court.

### Trial Level Proceedings

1. Payment for representation in trial level cases not involving a death penalty specification will be made based on the maximum rate of \$75.00 per hour for both in-court and out-of-court services.
2. Payment for representation in trial level cases involving a death penalty specification will be made based on the maximum rate of \$125.00 per hour for both in-court and out-of-court services.
3. The prescribed maximum fees in trial level proceedings are:

<u>Offense/Proceeding</u>	<u>Fee Maximum</u>
Aggravated Murder (w/specs) per ORC 2929.04(A) and 2941.14(B)	As set by Capital Fee Council -See ORC 120.33(D). Council has currently set a rate of \$125.00 with no fee maximum.
Aggravated Murder (w/o specs)	\$15,000.00/1 attorney \$25,000.00/2 attorneys
Murder	\$10,000.00
Felony with Possible Life Sentence/Repeat Violent Offender/Major Drug Offender	\$10,000.00
1 <sup>st</sup> /2 <sup>nd</sup> Degree Felonies	\$8,000.00
3 <sup>rd</sup> Degree Felonies	\$5,000.00
4 <sup>th</sup> /5 <sup>th</sup> Degree Felonies	\$3,500.00

1 <sup>st</sup> -4 <sup>th</sup> Degree Misdemeanors	\$2,000.00
OVI/BAC Misdemeanors	\$2,500.00
Contempt of Court	\$500.00
Violation (Probation/Community Control)	\$750.00
Preliminary Hearings	\$300.00
Sex Offender Classifications	\$750.00
Other	\$750.00

4. Payment for guilty or no-contest plea will be made on the maximum rate of \$75.00 per hour for both in-court and out-of-court services, up to the prescribed maximums for each classification.

### Juvenile Proceedings

1. Payment for representation in trial level cases not involving a death penalty specification will be made based on the maximum rate of \$75.00 per hour for both in-court and out-of-court services.
2. Payment for representation in trial level cases involving a death penalty specification will be made based on the maximum rate of \$125.00 per hour for both in-court and out-of-court services.
3. The prescribed maximum fees in trial level proceedings are:

<u>Offense/Proceeding</u>	<u>Fee Maximum</u>
Aggravated Murder (w/specs) per ORC 2929.04(A) and 2941.14(B)	As set by Capital Fee Council -See ORC 120.33(D). Council has currently set a rate of \$125.00 with no fee maximum.
Aggravated Murder (w/o specs)	\$7,500.00/1 attorney \$12,500.00/2 attorneys
Murder	\$6,000.00
1 <sup>st</sup> -2 <sup>nd</sup> Degree Felonies	\$5,000.00
3 <sup>rd</sup> – 5 <sup>th</sup> Degree Felonies	\$3,500.00
1 <sup>st</sup> -4 <sup>th</sup> Degree Misdemeanors	\$2,000.00
OVI/BAC Misdemeanors	\$2,500.00
Traffic	\$300.00
Objections	\$750
Unruly	\$1,000
Bindover – Mandatory	\$750.00/1 attorney \$1,200.00/2 attorneys
Bindover – Discretionary	\$2,000.00/1 attorney \$3,000.00/2 attorneys
Reverse Bindover Amenability	\$1,500.00

Serious Youthful Offender	Adult degree/1 attorney Adult degree +50% adult degree/2 attorneys
Serious Youthful Offender Invocation	\$2,000.00/1 attorney \$3,000.00/2 attorneys
Adult in Juvenile Court	\$1,500.00
Violations (Probation/Community Control/Parole/Supervised Release)	\$750.00
Violations of Court Orders	\$750.00
Abuse, Dependency, & Neglect (ADN) Initial Custody	\$1,500.00
ADN Annual Review	\$1,500.00
Permanent Custody	\$2,500.00
Contempt of Court	\$500.00
Purge Hearing	\$150.00
Sex Offender Classification/Reclassification/Declassification	\$750.00
Expungement	\$300.00
Other	\$750.00

### Appellate Level Proceedings

1. Payment for representation in trial level cases not involving a death penalty specification will be made based on the maximum rate of \$75.00 per hour for both in-court and out-of-court services.
2. Payment for representation in trial level cases involving a death penalty specification will be made based on the maximum rate of \$125.00 per hour for both in-court and out-of-court services.
3. The prescribed maximum fees in trial level proceedings are:

<u>Offense/Proceeding</u>	<u>Fee Maximum</u>
Aggravated Murder (death sentence imposed)	As set by Capital Fee Council -See ORC 120.33(D). Council has currently set a rate of \$125.00 with no fee maximum.
Cumulative Minimum Sentence Exceeds 25 years	\$8,000.00
1 <sup>st</sup> /2 <sup>nd</sup> Degree Felonies - Trial	\$5,000.00
3 <sup>rd</sup> Degree Felonies - Trial	\$3,500.00
4 <sup>th</sup> /5 <sup>th</sup> Degree Felonies – Trial	\$2,500.00
26(B) Murnahan Felonies 1 <sup>st</sup> -2 <sup>nd</sup> Degree - Trial	\$3,000.00

26(B) Murnahan Felonies 1 <sup>st</sup> -2 <sup>nd</sup> Degree - Trial	\$2,000.00
26(B) Murnahan Felonies 1 <sup>st</sup> -2 <sup>nd</sup> Degree - Trial	\$1,000.00
Ohio State Court Jurisdiction memorandum	\$1,500.00
1 <sup>st</sup> -4 <sup>th</sup> Degree Misdemeanors – Trial	\$2,000.00
Felonies - Plea	\$1,500.00
Misdemeanors – Plea	\$1,000.00
ADN Permanent Custody	\$3,500.00
Unruly	\$1,000.00
Other	\$1,000.00

**Post-conviction and Habeas Corpus Proceedings**

1. Payment for representation in trial level cases not involving a death penalty specification will be made based on the maximum rate of \$75.00 per hour for both in-court and out-of-court services.
2. Payment for representation in trial level cases involving a death penalty specification will be made based on the maximum rate of \$125.00 per hour for both in-court and out-of-court services.
3. The prescribed maximum fees in trial level proceedings are:

<b><u>Offense/Proceeding</u></b>	<b><u>Fee Maximum</u></b>
Death Sentence	As set by Capital Fee Council -See ORC 120.33(D). Council has currently set a rate of \$125.00 with no fee maximum.
1 <sup>st</sup> /2 <sup>nd</sup> Degree Felonies – ORC 2953.21 Petition/New Trial Motion	\$4,000.00
3 <sup>rd</sup> Degree Felonies - ORC 2953.21 Petition/New Trial Motion	\$2,500.00
4 <sup>th</sup> /5 <sup>th</sup> Degree Felonies – ORC 2953.21 Petition/New Trial Motion	\$1,750.00
1 <sup>st</sup> -4 <sup>th</sup> Degree Misdemeanors – 60(B)	\$1,500.00
Juvenile	\$2,500.00
State Habeas	\$1,500.00
Expungement	\$300.00
Judicial Release	\$500.00
Revocation	\$750.00
Driving Privileges	\$150.00
NGRI/Comp Review	\$750.00

Jail Time Credit	\$300.00
Resentencing	\$500.00
Sex Offender Reclassification	\$750.00
Withdraw of Guilty Plea	\$1,000.00

**Extraordinary Fees/Hourly Rate**

1. Cases eligible for extraordinary fees or extraordinary hourly rates are ones which, because of extraordinarily complex issues, multiple offenses, lengthy trials, or other reasons, warrant compensation at a rate which exceeds the maximums established by a county or the Ohio Public Defender. Payment for extraordinary fees/hourly rates are subject to the following requirements and are hereby enacted:
  - a. Wayne County hereby provides for extraordinary fees/hourly rates in this fee resolution adopted pursuant to ORC 120.33(A)(3).
  - b. Extraordinary fees must be clearly documented in the appropriate sections on the Motion, Entry, and Certification form.
  - c. The Judge hearing the case must indicate approval of the extraordinary fees and/or hourly rates by checking the "Extraordinary Fees Granted" box in the Judgment Entry section on the front of the form and a copy of the journal entry/entries must be attached.

**Expenses**

Payment for reasonable expenses requiring Court approval, such as transcripts or experts, associated with proving representation shall be made by motion and approved by the judge in advance of incurring the expense and the amount thereof is determined to be reasonable by the judge.

**Payment of Fees**

Payment of fees is contingent upon bills being submitted within thirty (30) days after the disposition of the case to allow the county to meet the ninety (90) day deadline for state reimbursement.

**Amendments to the Fee Schedule**

Wayne County Commissioners may amend this fee schedule at any time. Whenever the schedule is amended or revised, a copy of the resolution amending the fee schedule is directed to be sent to the Ohio Public Defender along with notice to all the courts and assigned counsel.

**Effective Date**

The effective date of the new Schedule of Fees for Assigned Counsel is August 1, 2020. Cases submitted to the court for payment after August 1, 2020 will be eligible for the fees established above even though the appointment may have been prior.

The vote is as follows: Ron Amstutz yea      Rebecca S. Foster yea      Sue A. Smail yea

**CERTIFICATE**

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

  
Diane L. Austen, Clerk



# Resolution

No. 2020-318

## Board of Wayne County Commissioners

Ron Amstutz    Rebecca S. Foster    Sue A. Smail

*Adopted:* June 24, 2020

*Subject:* **Approval of Lease with the Wayne County Auditor for Operation of a Deputy Registrar Agency (301.22)**

It was moved by Commissioner Smail and seconded by Commissioner Amstutz that approval is hereby granted for a Lease dated June 24, 2020 with the Wayne County Auditor/Deputy Registrar. The term shall begin on the 28th day of June, 2020 and shall end on the 28th day of June, 2025.

The vote is as follows: Ron Amstutz yea    Rebecca S. Foster yea    Sue A. Smail yea

### CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

  
Diane L. Austen, Clerk

# Resolution

No. 2020-319

## Board of Wayne County Commissioners

Ron Amstutz    Rebecca S. Foster    Sue A. Smail

*Adopted:* June 24, 2020

*Subject:* **Authority to Apply and Accept Grant Award Agreement from the Ohio Office of Criminal Justice Services (OCJS) for Narcotics Task Force Funding on Behalf of Medway Drug Enforcement Agency (2019-DL-LEF-5830)**

It was moved by Commissioner Amstutz and seconded by Commissioner Smail that the following resolution be adopted:

WHEREAS, the Ohio Office of Criminal Justice Services (OCJS) has made grant programs available to Medway Drug Enforcement Agency (Medway) in accordance with the provisions of the Ohio Drug Law Enforcement Fund (DLEF), ORC 5502.68; and

WHEREAS, Medway has requested to be authorized to accept the grant as offered, agreeing to all requirements and conditions in the amount of \$100,187.80 with a local match of \$33,395.94 for a total of \$133,583.74;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Wayne County Commissioners approves acceptance of the OCJS Grant for Narcotics Task Force to benefit the Medway Drug Enforcement Agency; and

BE IT FURTHER RESOLVED, that the President of the Board and the County Administrator, on behalf of the Board, are separately and individually authorized to execute any and all agreements and/or other documents related to the acceptance of the grant funds.

The vote is as follows: Ron Amstutz yea    Rebecca S. Foster yea    Sue A. Smail yea

### CERTIFICATE

I, Diane L. Austen, Clerk of the Board of County Commissioners, Wayne County, Ohio, hereby certify that the above is a true and correct copy of the resolution adopted and journalized by said Board on said date.

  
Diane L. Austen, Clerk